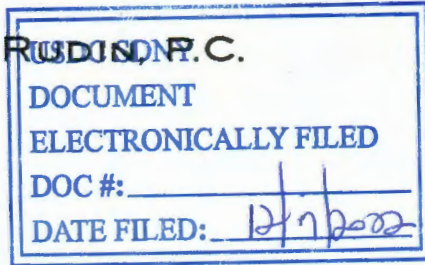


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THELONIOUS COLEMAN
(PARALEGAL)

MEMO ENDORSED

December 7, 2022

BY ECF

Honorable Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Fraser v. City of New York, et al.*, No. 20-cv-04926 (CM)

Dear Judge McMahon:

We write on behalf of all parties in the above-captioned action to request an adjournment of the trial date, which we received yesterday (as amended today). The Court's amended order schedules a Final Pretrial Conference for January 5, 2023 and sets a trial date of January 17, 2023, and directs the parties to bring any scheduling difficulties with those dates to the Court's attention, which we are doing immediately.

Plaintiff Jawaun Fraser has a team of four attorneys who will be handling the trial of this matter, including witness preparation, preparation of pretrial documents, and legal issues that arise during trial. Two of the four attorneys, Ben White and David Rudin, have already booked non-refundable flights and/or accommodations for foreign vacations with others that would need to be canceled for a January 17th trial date, at significant financial loss. In addition, trial counsel Michael Bloch is committed to teach a trial practice course in Washington, D.C. for the National Criminal Defense College the week prior, which would likely need to be canceled for trial preparation to accommodate a January 17th trial date.

We have conferred with counsel for the Defendants who has consented to an adjournment of the scheduled trial date in light of these conflicts. The parties also conferred on proposed dates for an adjourned trial date, and respectfully propose any of the following weeks for trial: (i) February 6, 2023; (ii) April 10, 2023; (iii) April 17, 2023; or (iv) May 29, 2023¹. Should none of those dates be available, the parties would also be open to exploring available dates in June 2023 and beyond. Counsel for each of the parties would also be amenable to Your Honor's

¹ The parties were unable to find other mutually agreeable weeks before June primarily in light of the trial schedule of defense counsel and planned vacations for the defendants.

12/7/2022
Sally, none of those
dates is available.
I will get back to
Mr. Fraser about the
end of the
line and
more
on
other
cases.
✓

LAW OFFICES OF JOEL B. RUDIN, P.C.

Hon. Colleen McMahon
December 7, 2022
Page 2

convening of a telephone conference with the Court and/or Court staff to resolve these scheduling issues directly.

We appreciate Your Honor's attention to these scheduling concerns.

Very truly yours,

/s/

Joel B. Rudin

JBR/tc

cc: Brian Francolla (by ECF)
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